

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA	:	
	:	
-v-	:	07-CR-131-S
KOLLIN KING,	:	
	:	
Defendant.	:	

**STATEMENT OF THE GOVERNMENT WITH RESPECT
TO SENTENCING FACTORS**

PLEASE TAKE NOTICE that:

1. The government adopts the findings of the Presentence Report with respect to sentencing factors.

2. The defendant is required by 18 U.S.C. §3013 to pay the sum of \$100 at the time of sentencing.

3. Upon the ground that the defendant has assisted authorities in the investigation or prosecution of the defendant's own misconduct by timely notifying authorities of the defendant's intention to enter a plea of guilty, thereby permitting the government to avoid preparing for trial and permitting the government and the Court to allocate their resources efficiently, the government hereby moves the Court to apply the additional one-

level downward adjustment for acceptance of responsibility pursuant to U.S.S.G. §3E1.1(b).

4. Notwithstanding paragraph three, the Government notes that pursuant to Fed.R.Crim.P. 11(c)(1)(C), the defendant and the Government have agreed, in paragraph 12 of the Plea Agreement, that a sentence that includes a prison term of 102 months is the appropriate sentence. Accordingly, the Government asks the Court to impose a sentence that includes a prison term of 102 months.

DATED: Buffalo, New York, October 25, 2007.

Respectfully submitted,

TERRANCE P. FLYNN
United States Attorney

BY: **s/Paul J. Campana**
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Attorney for the defendant

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CERTIFICATE OF SERVICE

I hereby certify that on October 25, 2007, I electronically filed the **STATEMENT OF THE GOVERNMENT WITH RESPECT TO SENTENCING FACTORS** with the Clerk of the District Court using its CM/ECF system, which would then electronically notify the following CM/ECF participants on this case:

Kimberly A. Schechter, AFD

United States Probation Department
Attn: Shirley C. Pandolfe, USPO

s/Laura Rogers

LAURA ROGERS